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| AN | ORDINANCE relating to historic preservation, imposing | |
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| | controls upon the Fremont Trolley Barn/Red Hook Ale | |
| | Brewery and its site, a Landmark and Landmark Site | |
| | designated by the Landmarks Preservation Board under | |
| | Chapter 25.12 of the Seattle Municipal Code (Ordinance | |
| | 106348) and adding it to the Table of Historical | |
| | Landmarks contained in Chapter 25.32 of the Seattle Municipal Code. | |

- WHEREAS, the Landmarks Preservation Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and
- WHEREAS, the Landmarks Preservation Board after a public hearing on July 19, 1989, voted to approve the nomination of the Fremont Trolley Barn/Red Hook Ale Brewery and its site at 3400 Phinney Avenue North in Seattle as a Landmark and Landmark site under SMC Chapter 25.12; and
- WHEREAS, after a public hearing on September 20, 1989, the Board voted to approve the designation of the Fremont Trolley Barn/Red Hook Ale Brewery and its site as a Landmark and Landmark site under SMC Chapter 25.12; and
- WHEREAS, on October 3, 1990, the Board and the owners of the designated property agreed to controls and incentives;
- WHEREAS, the Board recommends to the City Council approval of controls and incentives; Now, Therefore,
- BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:
- Section 1. <u>DESIGNATION</u>. That the designation by the Landmarks Preservation Board of the Fremont Trolley Barn/Red
- Hook Ale Brewery and its site, more particularly described as:
 - Lots 1-3, Block 41 and Lots 1-5, Block 42 of Denny and Hoyt's Addition to the City of Seattle, according to plat thereof recorded in Volume 2 of plats, page 34, records of King County, Washington.
- as a Landmark and Landmark site based upon satisfaction of the following criteria of SMC Section 25.12.350:
 - 1) It is the location of, or is associated in a significant way with, an historic event with a significant effect upon the community, city, state, or nation; and
 - 2) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; and

 3) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction

is hereby acknowledged.

Section 2. <u>CONTROLS</u>. The following controls are hereby imposed on the features and characteristics of the Fremont Trolley Barn/Red Hook Ale Brewery and its site which were designated by the Board for preservation:

- A. Except as provided in subsection 2.B. and 2.C. below, a Certificate of Approval must be obtained from the Landmarks Preservation Board pursuant to SMC 25.12.670 et seq., or the time for denying an application for a Certificate of Approval must have expired, before the owners may make alterations or significant changes to:
 - The entire exterior of the building, including the roof; and
 - The site, excluding the existing planting, and excluding the parking, driveway and loading dock on the east side of the property.
- B. Alterations of the designated features of the building for the elimination of ducts, conduits, HVAC, vents, grills, fire escapes, pipes and other similar utility or mechanical elements necessary to the normal operation of the building may be approved by the Historic Preservation Officer (HPO) without the need for further action by the Board if the HPO determined, upon examination of submitted plans and specifications, that such alterations are consistent with the purposes of the Landmarks Preservation Ordinance. If the HPO disapproves such alterations, the owners may submit revised plans and specifications to the HPO or may apply to the Board for a Certificate of Approval for the alterations.
- C. No Certificate of Approval is required for in-kind maintenance or repair of the designated features or areas.

Section 3. INCENTIVES.

A. Economic incentives may be made available as set forth in the Controls and Incentives Agreement between the Owner and the Board, and as they become available in the future.

B. SMC Titles 23 and 24 provide for special exceptions which may be available for uses not normally permitted in a particular zoning classification by means of an administrative conditional use.

Section 4. Enforcement of the Ordinance and penalties for its violation shall be as provided in Section 25.12.910 of the Seattle Municipal Code.

Section 5. The Fremont Trolley Barn/Red Hook Ale Brewery and its site are hereby added to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

Section 6. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, Arctic Building, and deliver one copy to the Director of the Department of Construction and Land Use.

11.

(To be used for all Ordinances except Emergency.)

| approval, if approved by the Mayor; otherwise it shall t | |
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| Passed by the City Council the 27th day | y of January , 1992 |
| and signed by me in open session in authentication of | t its passage this day of |
| January, 1992 | Jes Silverson |
| | Presidentof the City Council. |
| Approved by me this 3/5+ day of day | llany , 1992 |
| | Momano Suce |
| Approved by me this 315+ day of Junual | 1992 Mayor. |
| | forward & Brooks |
| | Attest: City Comptroller and City Clerk. |
| (SEAL) Published | By Marguret Carter Deputy Clerk. |
| | Deputy Clerk. |